

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

RANDOLPH S. FENNER, :  
Plaintiff : CIVIL ACTION NO. 3:21-75  
v. : (JUDGE MANNION)  
LEHIGH VALLEY HEALTH :  
NETWORK d/b/a Lehigh Valley :  
Hospital – Pocono, :  
Defendant :

**O R D E R**

Counsel for the plaintiff continues to waste the court's time with correspondence (having been told numerous times on this case and many others, not to file informal letters) and objections that can simply be resolved by following the proper procedures and the court's directions. Inexplicably refusing to file a proper motion to remand pursuant to 28 U.S.C. §1447(c) when counsel believes the court lacks subject matter jurisdiction over a matter removed from state court is difficult to imagine from a competent advocate. Especially, as here, when that is exactly the desired result that counsel wants.

Even assuming counsel wishes to shortcut the proper process outlined in the statute, the court has indicated that counsel should follow the statutory procedure. Yet counsel seemingly refuses to do so. (Doc. 21).

In light of the foregoing, counsel is hereby directed to file a separate brief in support of her argument that this court lacks subject matter jurisdiction. Counsel for the plaintiff will have until March 19, 2021 to file her brief. Opposing counsel will have until April 2, 2021 to file brief in opposition. Plaintiff's counsel will have until April 9, 2021 to file a reply brief, if necessary.

As a final note, counsel for the plaintiff is formally warned that continued disrespect to the court and its rulings and wasting the court's time with matters that can easily be resolved without dispute and simple use of common courtesy may lead to reprimand, sanctions and referral for disciplinary action.

s/ Malachy E. Mannion  
MALACHY E. MANNION  
United States District Judge

Dated: March 3, 2021

21-75-06